California Environmental Protection Agency
State Water Resources Control Board
Division of Water Rights
P.O. Box 2000, Sacramento, CA 95812-2000
Tel: (916) 341-5300  Fax: (916) 341-5400
www.waterboards.ca.gov/waterrights

APPLICATION NO. 03202

APPLICATION TO APPROPRIATE WATER

1. APPLICANT/AGENT

<table>
<thead>
<tr>
<th></th>
<th>APPLICANT</th>
<th>ASSIGNED AGENT (if any)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>William G. Hay, Jr. and Karen J. Hay</td>
<td>Wagner &amp; Bonsignore, CCE</td>
</tr>
<tr>
<td>Mailing Address</td>
<td>P.O. Box 205</td>
<td>2151 River Plaza Drive, Suite 100</td>
</tr>
<tr>
<td>City, State &amp; Zip</td>
<td>Point Arena, CA 95468</td>
<td>Sacramento, CA 95833</td>
</tr>
<tr>
<td>Telephone</td>
<td>(707) 882-2323</td>
<td>(916) 441-6850</td>
</tr>
<tr>
<td>Fax</td>
<td>(707) 882-3258</td>
<td>(916) 779-3120</td>
</tr>
<tr>
<td>E-mail</td>
<td></td>
<td><a href="mailto:pwhealen@wbecorp.com">pwhealen@wbecorp.com</a></td>
</tr>
</tbody>
</table>

2. OWNERSHIP INFORMATION (Please check type of ownership.)

☐ Sole Owner
☐ Limited Liability Company (LLC)
☐ General Partnership*
☐ Limited Partnership*
☐ Business Trust
☐ Husband/Wife Co-Ownership
☐ Corporation
☐ Joint Venture
☐ Other

*Please identify the names, addresses and phone numbers of all partners.

3. PROJECT DESCRIPTION (Provide a detailed description of your project, including, but not limited to, type of construction activity, area to be graded or excavated, and how the water will be used.) Add additional pages if needed and check box below and label as an attachment.

See Attachment 1.

☐ For continuation, see Attachment No. 1

APP 06/2009
4. PURPOSE OF USE, DIVERSION/STORAGE AMOUNT AND SEASON

<table>
<thead>
<tr>
<th>PURPOSE OF USE</th>
<th>DIRECT DIVERSION</th>
<th>STORAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>AMOUNT</td>
<td>SEASON OF DIVERSION</td>
</tr>
<tr>
<td></td>
<td>Rate (cfs or gpd)*</td>
<td>Acre-feet per annum</td>
</tr>
<tr>
<td>Irrigation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stockwatering</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Incidental Fire Protection and Dust Control</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total afla</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

☐ See Attachment No. ________  * If rate is less than 0.025 cubic feet per second (cfs), use gallons per day (gpd).

b. Total combined amount taken by direct diversion and storage during any one year will be ______ acre-feet.

c. Reservoir storage is: ☑ onstream ☐ offstream ☐ underground (If underground storage, attach Underground Storage Form.)

d. County in which diversion is located: Mendocino County in which water will be used: Mendocino

5. SOURCES AND POINTS OF DIVERSION/REDIVERSION

a. Sources and Points of Diversion (POD)/Points of Rediversion (PORD):

 ☑ POD / ☐ PORD #3 unnamed stream tributary to Moat Creek thence Pacific Ocean

 ☐ POD / ☐ PORD # thence

 ☐ POD / ☐ PORD # thence

 ☐ POD / ☐ PORD # thence

If needed, attach additional pages, check box below and label attachment

☐ See Attachment No. ________

b. State Planar and Public Land Survey Coordinate Description:

<table>
<thead>
<tr>
<th>POD/ PORD #</th>
<th>CALIFORNIA COORDINATES (NAD 83)</th>
<th>ZONE</th>
<th>POINT IS WITHIN (40-acre subdivision)</th>
<th>SECTION</th>
<th>TOWNSHIP</th>
<th>RANGE</th>
<th>BASE AND MERIDIAN</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>N 2,089,196 E 6,085,834</td>
<td>2</td>
<td>NE¼ of SE¼</td>
<td>19</td>
<td>12N</td>
<td>16W</td>
<td>M.D.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>¼ of ¼</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>¼ of ¼</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>¼ of ¼</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

If needed, attach additional pages, check box below and label attachment

☐ See Attachment No. ________

c. Name of the post office most often used by those living near the proposed point(s) of diversion:

Point Arena 95468
6. WATER AVAILABILITY
   a. Have you attached a water availability analysis for this project? ☑ YES ☐ NO
      If NO, provide sufficient information to demonstrate that there is reasonable likelihood that
      unappropriated water is available for the proposed appropriation: If needed, attach additional
      pages, check box below and label attachment.
      ☑ See Attachment No. 2
   b. Is your project located on a stream system declared to be fully appropriated by the State Water
      Resources Control Board (State Water Board) during your proposed season of diversion?
         ☐ YES ☑ NO
   c. In an average year, does the stream dry up at any point downstream of your project? ☑ YES ☐ NO
      If YES, during which months? ☑ Jan ☐ Feb ☐ Mar ☑ Apr ☑ May ☑ Jun ☑ Jul ☑ Aug ☑ Sep ☑ Oct
         ☐ Nov ☐ Dec
   d. What alternate sources of water are available if a portion of your requested diversion season must
      be excluded because water is not available for appropriation? (e.g., percolating groundwater,
      purchased water, etc.) If needed, attach additional pages, check box below and label attachment
      none ☐
      ☑ See Attachment No. 3

7. PLACE OF USE
   See Attachment 3 (map).
   a.

<table>
<thead>
<tr>
<th>USE IS WITHIN (40-acre subdivision)</th>
<th>SECTION*</th>
<th>TOWNSHIP</th>
<th>RANGE</th>
<th>BASE &amp; MERIDIAN</th>
<th>IF IRRIGATED</th>
</tr>
</thead>
<tbody>
<tr>
<td>NW1/4 of SE1/4</td>
<td>19</td>
<td>12N</td>
<td>16W</td>
<td>M.D.</td>
<td>3</td>
</tr>
<tr>
<td>NE1/4 of SE1/4</td>
<td>19</td>
<td>12N</td>
<td>16W</td>
<td>M.D.</td>
<td>8</td>
</tr>
<tr>
<td>SW1/4 of SE 1/4</td>
<td>19</td>
<td>12N</td>
<td>16W</td>
<td>M.D.</td>
<td>5</td>
</tr>
<tr>
<td>SE1/4 of SE 1/4</td>
<td>19</td>
<td>12N</td>
<td>16W</td>
<td>M.D.</td>
<td>35</td>
</tr>
<tr>
<td>NW1/4 of SW 1/4</td>
<td>20</td>
<td>12N</td>
<td>16W</td>
<td>M.D.</td>
<td>21</td>
</tr>
<tr>
<td>SW1/4 of SW 1/4</td>
<td>20</td>
<td>12N</td>
<td>16W</td>
<td>M.D.</td>
<td>16</td>
</tr>
<tr>
<td>NW 1/4 of NW 1/4</td>
<td>29</td>
<td>12N</td>
<td>16W</td>
<td>M.D.</td>
<td>1</td>
</tr>
<tr>
<td>NW1/4 of NE1/4</td>
<td>30</td>
<td>12N</td>
<td>16W</td>
<td>M.D.</td>
<td>1</td>
</tr>
<tr>
<td>NE1/4 of NE1/4</td>
<td>30</td>
<td>12N</td>
<td>16W</td>
<td>M.D.</td>
<td>11</td>
</tr>
</tbody>
</table>

   Total Acres: 101

   *Please indicate if section is projected with a "(P)" following the section number.
   ☑ See Attachment No. 3. Please provide the Assessor’s Parcel Number(s) for the place of use:
      027-351-28, 027-351-29, 027-341-11, 027-413-03, 027-421-17

8. PROJECT SCHEDULE
   Project is: ☑ proposed, ☐ partially complete or ☑ complete (Year completed - 1970).

   Extent of completion: The project is complete. The reservoir was
   constructed in 1970. The place of use was fully developed in 1970.

   Estimated amount of time in years it will take for construction to be completed: N/A

   Estimated amount of time in years it will take for water to be put to full beneficial use: 15
9. JUSTIFICATION OF AMOUNTS REQUESTED

a. ☐ IRRIGATION: Maximum area to be irrigated in any one year: 101 acres.

<table>
<thead>
<tr>
<th>CROP</th>
<th>ACRES</th>
<th>METHOD OF IRRIGATION</th>
<th>WATER USE (Acre-feet/Yr.)</th>
<th>SEASON OF WATER USE</th>
</tr>
</thead>
<tbody>
<tr>
<td>hay/pasture</td>
<td>101</td>
<td>sprinkler</td>
<td>25</td>
<td>1/1</td>
</tr>
</tbody>
</table>

☐ See Attachment No._

b. ☐ DOMESTIC: Number of residences to be served:_________ Separately owned?
   ☐ YES ☐ NO Number of people to be served:_________ Estimated daily use per person is:
   _______ gallons per day Area of domestic lawns and gardens:_________ square feet
   Incidental domestic uses:
   __________________________________________________________________________

   (dust control area, number and kind of domestic animals, etc.)

c. ☐ STOCKWATERING: Kind of stock: sheep and cattle Maximum number: 200 +/-
   Describe type of operation: range
   (feedlot, dairy, range, etc.)

d. ☐ RECREATIONAL: Type of recreation: ☐ Fishing ☐ Swimming ☐ Boating ☐ Other _________

e. ☐ MUNICIPAL:

<table>
<thead>
<tr>
<th>POPULATION</th>
<th>MAXIMUM MONTH</th>
<th>ANNUAL USE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Period</td>
<td>Population</td>
<td>Average daily use (gallons per capita)</td>
</tr>
<tr>
<td>Present</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

☐ See Attachment No._

   Month of maximum use during year: ______________________
   Month of minimum use during year: ______________________

f. ☐ HEAT CONTROL: Area to be heat controlled:_________ net acres
   Type of crops protected:
   Rate at which water is applied to use:_________ gpm per acre
   Heat protection season will begin ___________________ and end ___________________.

   (month and day)   (month and day)

g. ☐ FROST PROTECTION: Area to be frost protected:_________ net acres
   Type of crops protected:
   Rate at which water is applied to use:_________ gpm per acre
   The frost protection season will begin ___________________ and end ___________________.

   (month & day)   (month & day)

h. ☐ INDUSTRIAL: Type of industry: ____________________________
Basis for determination of amount of water needed:

1. [ ] MINING: Name of the claim: ________________________ [ ] Patented [ ] Unpatented
Nature of the mine: ________________________ Mineral(s) to be mined: ________________________
Type of milling or processing:
After use, the water will be discharged into ________________________ (watercourse)
in _____ ¼ of _____ ¼ of Section ________, T ________, R ________, B & M.

2. [ ] POWER: Total head to be utilized: ________ feet
Maximum flow through the penstock: ________ cfs Maximum theoretical horsepower capable of
being generated by the works (cfs x fall ÷ 8.8): ________________________
Electrical capacity (hp x 0.746 x efficiency): ________ kilowatts at: ________ % efficiency
After use, the water will be discharged into ________________________ (watercourse)
in _____ ¼ of _____ ¼ of Section ________, T ________, R ________, B&M. FERC No.: ________

3. [ ] FISH AND WILDLIFE PRESERVATION AND/OR ENHANCEMENT: List specific species and
habitat type that will be preserved or enhanced: ________________________

4. [ ] OTHER: Describe use: incidental fire protection and dust control
Basis for determination of amount of water needed: limited by reservoir capacity

10. DIVERSION AND DISTRIBUTION METHOD
   a. Diversion will be by gravity by means of: ________ dam
      (dam, pipe in unobstructed channel, pipe through dam, siphon, weir, gate, etc.)
   b. Diversion will be by pumping from: ________________________ (sump, offset well, channel, reservoir, etc)
      Pump discharge rate: ________ [ ] cfs or [ ] gpd Horsepower: ________
      Pump Efficiency: ________
   c. Conduit from diversion point to first lateral or to offstream storage reservoir: N/A

<table>
<thead>
<tr>
<th>CONDUIT (pipe or channel)</th>
<th>MATERIAL (type of pipe or channel lining; indicate if pipe is buried or not)</th>
<th>CROSS-SECTION (pipe diameter, or ditch depth and top and bottom width)</th>
<th>LENGTH (feet)</th>
<th>TOTAL LIFT OR FALL</th>
<th>CAPACITY (cfs, gpd or gpm)</th>
</tr>
</thead>
</table>

[ ] See Attachment No. ______

d. Storage reservoirs: (For underground storage, complete and attach underground storage form)

<table>
<thead>
<tr>
<th>RESERVOIR NAME OR NUMBER</th>
<th>DAM</th>
<th>RESERVOIR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northwest Pond</td>
<td>24 Earth</td>
<td>290 2.2 25 20</td>
</tr>
</tbody>
</table>

[ ] See Attachment No. ______
e. Outlet pipe: Complete for storage reservoirs having a capacity of 10 acre-feet or more.

<table>
<thead>
<tr>
<th>RESERVOIR NAME OR NUMBER</th>
<th>Diameter in inches</th>
<th>Length in feet</th>
<th>Fall: Vertical distance between entrance and exit of outlet pipe in feet</th>
<th>Head: Vertical distance from spillway to entrance of outlet pipe in feet</th>
<th>Dead Storage: Storage below entrance of outlet pipe in acre-feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northwest Pond</td>
<td>12</td>
<td>180</td>
<td>8</td>
<td>16</td>
<td>2</td>
</tr>
</tbody>
</table>

☐ See Attachment No. ___

e. If water will be stored and the reservoir is not at the point of diversion, the maximum rate of diversion to off-stream storage will be ________ cfs. Diversion to offstream storage will be made by:
☐ Pumping  ☐ Gravity

11. CONSERVATION AND MONITORING
a. What methods will you use to conserve water? Explain.
   none

b. How will you monitor your diversion to be sure you are within the limits of your water right and you are not wasting water? ☐ Weir  ☐ Meter  ☐ Periodic sampling  ☐ Other (describe) reservoir staff gage

12. RIGHT OF ACCESS
a. Does the applicant own all the land where the water will be diverted, transported and used?
   ☐ YES  ☐ NO
   If NO, I ☐ do ☐ do not have a recorded easement or written authorization allowing me access.

b. List the names and mailing addresses of all affected landowners and state what steps are being taken to obtain access:

☐ See Attachment No. ___

13. EXISTING WATER RIGHTS AND RELATED FILINGS
a. Do you claim an existing right for the use of all or part of the water sought by this application?
   ☐ YES  ☐ NO
   If YES, please specify: ☐ Riparian  ☐ Pre-1914  ☐ Registration  ☐ Permit  ☐ License
   ☐ Percolating groundwater  ☐ Adjudicated  ☐ Other (specify)

b. For each existing right claimed, state the source, year of first use, purpose, season and location of the point of diversion (to within quarter-quarter section). Include number of registration, permit, license, or statement of water diversion and use, if applicable.

☐ See Attachment No. ___
c. List any related applications, registrations, permits, or licenses located in the proposed place of use or that utilize the same point(s) of diversion.

Statement of Water Diversion and Use S018088

☐ See Attachment No. ___

14. OTHER SOURCES OF WATER
Are you presently using, or do you intend to use, purchased water or water supplied by contract in connection with this project? ☐ Yes ☒ No If yes, please explain: ____________________________

15. MAP REQUIREMENTS
The Division cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the quarter/quarter, section, township, range, and meridian of (1) the proposed points of diversion and (2) the place of use. A copy of a U.S.G.S. quadrangle/topographic map of your project area is preferred, and can be obtained from sporting goods stores or through the Internet at http://topomaps.usgs.gov. A certified engineering map is required when (1) appropriating more than three cubic feet per second by direct diversion, (2) constructing a dam which will be under the jurisdiction of the Division of Safety of Dams, (3) creating a reservoir with a surface area in excess of ten acres or (4) appropriating more than 1,000 acre-feet per annum by underground storage. See the instruction booklet for more information.

☐ See Attachment No. ___

ENVIRONMENTAL INFORMATION

Note: Before a water right permit may be issued for your project, the State Water Board must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared for your project, a determination must be made of who is responsible for its preparation. If the State Water Board is determined to be responsible for preparing the CEQA document, the applicant will be required to pay all costs associated with the environmental evaluation and preparation of the required documents. Please answer the following questions to the best of your ability and submit with this application any studies that have been conducted regarding the environmental evaluation of your project.

16. COUNTY PERMITS
a. Contact your county planning or public works department and provide the following information:

Person contacted: www.co.mendocino.ca.us/planning  Date of contact: September 24, 2013
Department: Planning and Building  Telephone: ( 707 ) 463-4281
County Zoning Designation: RL160

Are any county permits required for your project? ☐ YES ☒ NO If YES, check appropriate box below:
☐ Grading permit  ☐ Use permit  ☐ Watercourse  ☐ Obstruction permit  ☐ Change of zoning
☐ General plan change  ☐ Other (explain):
  The project was fully developed in 1970.

b. Have you obtained any of the required permits described above? ☐ YES ☐ NO  N/A
If YES, provide a complete copy of each permit obtained.

☐ See Attachment No. ___
17. STATE/FEDERAL PERMITS AND REQUIREMENTS

a. Check any additional state or federal permits required for your project:
   - Federal Energy Regulatory Commission
   - U.S. Forest Service
   - U.S. Bureau of Land Management
   - U.S. Corps of Engineers
   - U.S. Natural Res. Conservation Service
   - Calif. Dept. of Fish and Game
   - State Lands Commission
   - Calif. Dept. of Water Resources (Div. of Safety of Dams)
   - Calif. Coastal Commission
   - State Reclamation Board
   - Other (specify)

   None are required.

b. For each agency from which a permit is required, provide the following information:

<table>
<thead>
<tr>
<th>AGENCY</th>
<th>PERMIT TYPE</th>
<th>PERSON(S) CONTACTED</th>
<th>CONTACT DATE</th>
<th>TELEPHONE NO.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

☐ See Attachment No. ___

c. Does your proposed project involve any construction or grading-related activity that has
   significantly altered or would significantly alter the bed, bank, or riparian habitat of any stream or
   lake? ☐ YES ☐ NO

   If YES, explain:
   __________________________________________
   __________________________________________
   __________________________________________
   __________________________________________
   __________________________________________

   ☐ See Attachment No. ___

b. Have you contacted the California Department of Fish and Game concerning your project?
   ☐ YES ☐ NO If YES, name, telephone number and date of contact:
   __________________________________________

18. ENVIRONMENTAL DOCUMENT

a. Has any California public agency prepared an environmental document for your project?
   ☐ YES ☐ NO

b. If YES, submit a copy of the latest environmental document(s) prepared, including a copy of the
   notice of determination adopted by the California public agency. Public agency:
   __________________________________________
   __________________________________________
   __________________________________________
   __________________________________________

   ☐ See Attachment No. ___

   ☐ The applicant is a California public agency and will be preparing the environmental document.*
   ☐ I expect that the State Water Board will be preparing the environmental document.**
   ☐ I expect that a California public agency other than the State Water Board will be preparing the
     environmental document.* Public agency: __________________________________________
   ☐ See Attachment No. ___

* Note: When completed, submit a copy of the final environmental document (including notice of
determination) or notice of exemption to the State Water Board, Division of Water Rights and proof of
payment of the State Clearinghouse filing fee. Processing of your application cannot be completed until
these documents are submitted.

** Note: CEQA requires that the State Water Board, as Lead Agency, prepare the environmental document.
The information contained in the environmental document must be developed by the applicant and at the
applicant's expense under the direction of the State Water Board, Division of Water Rights.
19. WASTE/WASTEWATER

a. Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation? □ YES ☒ NO
If YES, or you are unsure of your answer, explain below and contact your local Regional Water Quality Control Board for the following information (See instruction booklet for address and telephone no.):

________________________________________________________________________________________

☐ See Attachment No. ___

b. Will a waste discharge permit be required for your project? □ YES ☒ NO
Person contacted: ___________________________ Date of contact: ___________________________

c. What method of treatment and disposal will be used?

________________________________________________________________________________________

☐ See Attachment No. ___

20. ARCHEOLOGY

a. Have any archeological reports been prepared on this project? □ YES ☒ NO
b. Will you be preparing an archeological report to satisfy another public agency? □ YES ☒ NO

c. Do you know of any archeological or historic sites located within the general project area? □ YES ☒ NO If YES, explain:

________________________________________________________________________________________

☐ See Attachment No. ___

21. ENVIRONMENTAL SETTING  See SWRCB Staff July 25, 2013 Inspection Report

Attach two complete sets of color photographs, clearly dated and labeled, showing the vegetation that exists at the following three locations:
☑ Along the stream channel immediately downstream from the proposed point(s) of diversion.
☑ Along the stream channel immediately upstream from the proposed point(s) of diversion.
☑ At the place(s) where the water is to be used.
☐ See Attachment No. ___

SUBMITTAL FEES

Calculate your application filing fee using the “Water Right Fee Schedule Summary” that was enclosed in the application packet. The “Water Right Fee Schedule Summary” can also be viewed at the Division of Water Rights’ website (www.waterrights.ca.gov).

A check for the application filing fee, payable to the “Division of Water Rights” and an $850 check for the Streamflow Protection Standards review fee [Pub. Resources Code § 10005(a)], payable to the “California Department of Fish and Game,” must accompany this application. All applicable fees are required at the time of filing. If the application fees are not received, your application will not be accepted and will be returned to you. Please check the fee schedule for any fee changes prior to submitting the application.
DECLARATION AND SIGNATURE

I declare under penalty of perjury that all information provided is true and correct to the best of my knowledge and belief. I authorize my agent, if I have designated one above, to act on my behalf regarding this water right application.

Signature of Applicant  

Title or Relationship  

Date

Signature of Co-Applicant (if any)  

Title or Relationship  

Date

Applications that are not completely filled out and/or do not have the appropriate fees will not be accepted. In the event that the Division has to return the application because it is incomplete, a portion of the application submittal fee will be charged for the initial review.

“APPLICATION TO APPROPRIATE WATER” CHECKLIST

Before you submit your application, be sure to:

☐ Answer each question completely.

☐ Number, label and include all necessary attachments.

☐ Include a legible map that meets the requirements discussed in the instruction booklet.

☐ Include the Water Availability Analysis or sufficient information to demonstrate that there is reasonable likelihood that unappropriated water is available for the proposed appropriation.

☐ Include two complete sets of color photographs of the project site.

☐ Enclose a check for the required fee, payable to the Division of Water Rights.

☐ Enclose an $850 check for the Streamflow Protection Standards review fee, payable to the Department of Fish and Game.

☐ Sign and date the application.

Send the original and one copy of the entire application to:

State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95812-2000
Attachments to Accompany
Water Right Application
William G. Hay, Jr. and Karen J. Hay
(H-H Ranch, Northwest Pond)

Attachment #1

3. Project Description

This project consists of the collection and storage of 25 acre-feet of water in an existing on-stream reservoir from December 15th to March 31st. The reservoir at Point of Diversion #3 (Northwest Pond) was constructed in 1970 to a capacity of 25 acre-feet.

Water is used for irrigation of 101 acres of hay and pasture (see location on Attachment 3) that were developed in 1970, for stockwatering of approximately 200 sheep and cattle, and for incidental fire protection and dust control. The reservoir and place of use are fully developed. No further development is proposed.

A Division of Water Rights inspection report dated July 25, 2013 indicates that the capacity of the Northwest Pond may exceed 50 acre-feet, and the height of the dam at the Northwest Pond may exceed 25 feet, which would mean that the dam is within the jurisdiction of the Division of Safety of Dams (DSOD). Subsequently, a topographic map of the dam and reservoir was prepared by Ron W. Franz, RCE, PLS. The topographic map shows that the dam and reservoir do not meet the criteria for DSOD jurisdiction. The dam impounds less than 50 acre-feet, and the height of the dam from downstream toe to spillway is less than 25 feet.

The project described in this Application involves no change to the existing reservoir at Point of Diversion #3 or to the requested place of use or water diversion relative to historical conditions for this project. Accordingly, this Application qualifies for a Categorical Exemption under Title 14, California Code of Regulations, Section 15301, Existing Facilities, which states the following:

"Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination."

Based on the foregoing, we are requesting that the State Water Board grant a Categorical Exemption to this Application and proceed with further processing as necessary for permit issuance.

Attachment #2

6. Water Availability
   See separate attachment.

Attachment #3

7. Map
   See separate attachment.
ATTACHMENT 2

Estimate of Water Availability to Accompany Water Right Application
of William G. Hay, Jr. and Karen J. Hay

California Water Code Section 1260(k) requires that every application for a permit to appropriate water shall include “sufficient information to demonstrate a reasonable likelihood that unappropriated water is available for the proposed appropriation.” This narrative and accompanying calculations provide the required information.

The subject Application includes a point of diversion (POD #3) on an unnamed stream tributary to Moat Creek thence the Pacific Ocean in Mendocino County (see attached map). Diversion of up to 25 acre-feet is proposed for storage at a reservoir at POD #3 (Northwest Pond). The proposed season of diversion is December 15 through March 31. According to State Water Resources Control Board Order WR 98-08, there is no season during which the Moat Creek watershed is fully appropriated. The following describes the methodology used to demonstrate a reasonable likelihood that water is physically available for the proposed appropriation.

The attached map shows the proposed points of diversion and the watershed areas tributary thereto. The map also shows lines of equal mean annual runoff as shown on the map included with the document entitled Mean Annual Runoff in the San Francisco Bay Region, California, 1931-70 (Miscellaneous Field Studies Map MF-613) by S.E. Rantz, 1974. An excerpt of this map is attached (Rantz map).

The weighted mean annual runoff for the watershed tributary to POD #3 was computed based on the Rantz map. Mean seasonal runoff for the subject watershed was estimated by adjusting the mean annual runoff assuming that the ratio of seasonal to annual runoff is identical to the ratio of seasonal to annual mean precipitation. The Point Arena precipitation station was used for this purpose (record attached). The resulting seasonal runoff value was adjusted by deducting the face value of any senior water rights in the watershed above the proposed point of diversion.

Calculations for the foregoing methodology are attached. These calculations show that in an average water year approximately 63 acre-feet would accrue to POD #3. The 63 acre-feet would be ample to fill the 25 acre-foot reservoir at POD #3, leaving about 38 acre-feet of runoff remaining. Accordingly, it is reasonable to conclude that water is available for the subject Application.
Water Right Application by William G. Hay, Jr. and Karen J. Hay
Estimate of Water Availability

MONTHLY PRECIPITATION

POINT ARENA, CALIFORNIA

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POINT OF DIVERSION #3

Mean Precipitation for requested diversion season (12/15 - 03/31): 23.8 in
Precipitation during requested diversion season as a percentage of total precipitation: 57.6%
Mean Annual Runoff: 22.0 in
Estimated Mean Seasonal Runoff: 12.7 in
Watershed Area for POD #3: 59.2 ac

Total Estimated Mean Seasonal Runoff at POD #3: 62.7 ac-ft
Senior Diverters of Record within POD #3 watershed (face value): 0.0 ac-ft

Total water available at POD #3: 62.7 ac-ft

Notes:
(1) Source: Western Regional Climate Center website, http://www.calclim.dri.edu/rcda/ncacoop.html. Seasonal amount computed by adding monthly amounts for January through March, plus half of monthly amount for December.

(2) *Mean Annual Runoff in the San Francisco Bay Region, California, 1931-70 (Miscellaneous Field Studies Map MF-613)*, by S.E. Rants, 1974.

(3) Estimated mean seasonal runoff is computed by multiplying mean annual runoff by percent seasonal precipitation.

(4) Face value of senior rights above POD based on review of SWRCB eWRIMS data base.
Water Right Application by William G. Hay, Jr. and Karen J. Hay
Calculation of Weighted Mean Annual Runoff in POD Watershed

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<th>Volume (ae-ft)</th>
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Notes:
1. Weighted mean annual runoff from automatic calculation using AutoCAD.
### POINT ARENA, CALIFORNIA

**Monthly Total Precipitation (inches)**

#### -47009

File last updated on Apr 4, 2013

*** Note: Provisional Data ***
After Year/Month: 198804

- a = 1 day missing
- b = 2 days missing
- c = 3 days, etc.,
- z = 26 or more days missing
- A = Accumulations present

Long-term means based on columns; thus, the monthly row may not
sum (or average) to the long-term annual value.

**MAXIMUM ALLOWABLE NUMBER OF MISSING DAYS:** 5

Individual Months not used for annual or monthly statistics if more than 5 days are missing.

Individual Years not used for annual statistics if any month in that year has more than 5 days missing.

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**Period of Record Statistics**

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**Note:**
Per California Climate Data Archive - [http://www.calcitr.dri.edu/ccda/mmeacoop.html](http://www.calcitr.dri.edu/ccda/mmeacoop.html)
Legend

- Watershed Boundary
- Line of Equal Mean Annual Runoff
- Assumed Line of Equal Mean Annual Runoff
- Point of Diversion

Point of Diversion:

Map Point 3
Point of Diversion by Collection to Storage: Located N 2,089.190' and E 6,085.834', California Coordinate System, NAD83, Zone 2, being within the NE\(\frac{1}{4}\) of SE\(\frac{1}{4}\) of Section 19, T12N, R6W, MDM&M.

Map to Accompany Water Availability Analysis
Water Right Application

by William G. Hay, Jr. and Karen J. Hay
for Appropriation of Water from Unnamed Stream
Mendocino County, California

Mean Annual Runoff Isohyets per Mean Annual Runoff in the San Francisco Bay Region, California 1931-70 (Miscellaneous Field Studies Map MF-613), by S.E. Runitz, 1974.
Base map per USGS 7.5 Minute Quads maps for Eureka Hill, Gnualsa, Point Arena and Saunders Reef.

Notes:
1) Red lines were added to the USGS map by Wagner & Bonsignore and do not necessarily indicate the existence of a stream.
Use Reservoir for Stockwatering and Incidental Fire Protection:

Reservoir | Use Within | Section | Township | Range | B & M | Previously Cultivated
--- | --- | --- | --- | --- | --- | ---
Northwest Pond | NE ½ of SE ¼ | 19 | T12N | R16W | M.D. | Yes

Point of Diversion:

Map Point 3

Description: Point of Diversion by Collection to Storage: Located N 2°08'19.6" and E 6°08'51.3" California Coordinate System, NAD83, Zone 2, being within the NE ½ of SE ¼ of Section 19, T12N, R16W, M.D. & M.

Base map per USGS 7.5 Minute Quad maps for Saunders Reef and Point Arena.

Attachment 3

Map to Accompany Water Right Application for Appropriation of Water from Unnamed Stream by William G. Hay, Jr. and Karen J. Hay

Mendocino County, California

Wagner Bonsignore Consulting Civil Engineers, California

October 2013
### Place of Use:

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<td>19</td>
<td>T12N</td>
<td>R16W</td>
<td>M.D.</td>
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### Use at Reservoir for Stockwatering and Incidental Fire Protection:

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<th>Use Within</th>
<th>Section</th>
<th>Township</th>
<th>Range</th>
<th>B &amp; M</th>
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<td>Northwest Pond</td>
<td>NE¼ of SE¼</td>
<td>19</td>
<td>T12N</td>
<td>R16W</td>
<td>M.D.</td>
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</table>

### Point of Diversion:

**Map Point Description**

3 Point of Diversion by Collection to Storage: Located N 2,089,196' and E 6,085,834', California Coordinate System, NAD83, Zone 2, being within the NE¼ of SE¼ of Section 19, T12N, R16W, M.D.&M.

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PACIFIC

OCEAN

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**Attachment 3**

Map to Accompany Water Right Application for Appropriation of Water from Unnamed Stream

by William G. Hay, Jr. and Karen J. Hay

Mendocino County, California

Wagner Bonsignore

October 2013

Aerial imagery per U.S. Department of Agriculture (USDA) - Aerial Photography Field Office, National Agricultural Inventory Project, flown 2010.
Ms. Barbara Evoy  
State Water Resources Control Board  
Division of Water Rights  
P.O. Box 2000  
Sacramento, California 95812-2000

(Northwest Pond) - Mendocino County

Dear Ms. Evoy:

On behalf of William G. Hay, Jr. and Karen J. Hay, we are submitting a signed original water right Application and the required attachments. We have also enclosed an additional copy of the Application; please return it to us after the Application number is assigned.

The Application requests the storage of 25 acre-feet of water in an existing on-stream reservoir. Water will be used for irrigation of approximately 101 acres of hay/pasture, stockwatering, and incidental fire protection and dust control.

Enclosed is a check for $1,225 for the State Water Board filing fee and a check for $850 for the Department of Fish and Wildlife environmental review fee.

Please contact me if you have any questions.

Very truly yours,

WAGNER & BONSIGNORE  
CONSULTING CIVIL ENGINEERS

Vincent M. Maples, P.E.

Encls. ✓  
cc: David LaBrie (w/o encls.)  
William Hay